PA-85-2012

PROCLAMATION

RE: SHELLFISH POLLUTED AREA

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, upon the recommendation of Laura Gerald, M.D., M.P.H., State Health Director, Department of Health and Human Services, hereby announces that the following shellfish area temporary **closure** will **take effect immediately**:

No person shall take or attempt to take any oysters, clams or mussels or possess, sell or offer for sale any oysters, clams or mussels taken from the following polluted areas:

BRUNSWICK / NEW HANOVER / PENDER / ONSLOW / CARTERET / HYDE / DARE COUNTIES

All those waters between ICWW marker "84" near Ocean Isle and the South Carolina State Line, to include the Tubbs Inlet area.

Lockwoods Folly River - All those waters north of a line beginning on the west shore at a point 33°55.7954'N - 78°13.3096' W approximately midway between Genoes Point and Spring Creek; running southeasterly to a point 33°55.2284'N - 78°12.7791' W near the northwest point of Horse Island, to include the open portion of the Atlantic Intracoastal Water Way north of Horse Island.

All those waters bordered on the northeast by a straight line from Swan Point through ICWW Channel Marker #4 to the eastern tip of West Onslow Beach, (south shore of New River Inlet), and bordered on the southwest by Snows Cut, to include Myrtle Grove Sound, Masonboro Sound, Middle Sound, Topsail Sound, Stump Sound, Alligator Bay, and Chadwick Bay.

New River –All those water in New River upstream of the Highway 172 Bridge.

All those waters from the IWW to the mainland between Salliers Bay and the Atlantic Beach High-Rise Bridge, to include Salliers Bay, Freeman Creek, Bear Creek, Queens Creek, White Oak River, Deer Creek, Hunting Island Creek, Goose Creek, Sanders Creek, Broad Creek, and Gales Creek.

Newport River – All those waters in Newport River upstream of the Highway 70 High Rise Bridge and Morehead-Beaufort Causeway, to include all tributaries and Core Creek.

North River – All those waters in North River upstream of a straight line beginning at a point at the permanent closure line near Channel Marker #56B to the mainland side of the Harker's Island Bridge at The Straits.

Whitehurst Creek – All those waters in Whitehurst Creek upstream of a straight line across the mouth.

Sleepy Creek – All those waters in Sleepy Creek upstream of a straight line across the mouth.

Jarrett Bay – All those waters upstream of a line beginning at a point on the east shore of Spit Bay; thence in a straight line to the southern end of Davis Island; thence in a straight line thru Flashing Beacon #36; thence in a straight line to the southeast end of Bells Island; thence in a straight line to a point ont he Marshallberg shoreline.

Oyster Creek- All those waters in Oyster Creek upstream of a straight line across the mouth.

Brett Bay – All those waters in Brett Bay upstream of a straight line from Piney Point to King Point.

Nelson Bay – All those waters in Nelson Bay upstream of a line from Drum Point to the northern tip of Fulchers Creek.

West Bay – All those waters in West Bay upstream of a straight line across the mouth.

Turnagain Bay – All those waters in Turnagain Bay upstream of a straight line across the mouth.

South River – All those waters in South River upstream of a straight line across the mouth.

All those waters 200 yards offshore between the north side of Ocracoke Inlet and the south side of Oregon Inlet.

GENERAL INFORMATION:

A. This proclamation is issued under the authority of N.C.G.S. 113-170.4; 113-170.5; 113-182; 113-221.1; 143B-289.52 and N.C. Marine Fisheries Commission Rules 15A NCAC 03H . 0103 and 03K .0101.

B. It is unlawful to violate the provisions of any proclamation issued by the N.C. Fisheries Director under his delegated authority pursuant to N.C. Marine Fisheries Commission Rule 15A NCAC 03H .0103.

C. These temporary closures are due to coastal flooding, heavy rainfall, and resultant runoff associated with Hurricane Sandy.

October 28, 2012
10:30 A.M.
PA-85-2012

To subscribe to polluted area proclamations by email, please send your request to:
denr.dmf.polluted.area.proclamations-subscribe@lists.ncmail.net

Sharon Gupton
Shellfish Sanitation and Recreational Water Quality
(252) 726-6827

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties unless the content is exempt by statute or other regulation.